

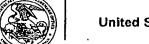
## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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PPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/212,367	12/15/1998	DAVID BAUNOCH	98.714	8537
20306 7	590 12/18/2001			
MCDONNELL BOEHNEN HULBERT & BERGHOFF			EXAMINER	
	ACKER DRIVE		<del></del>	
SUITE 3200	60606			
CHICAGO, IL	00000		ART UNIT	PAPER NUMBER

DATE MAILED: 12/18/2001

Please find below and/or attached an Office communication concerning this application or proceeding.



## Commissioner for Patents Patent and Trademark Office

Washington, D.C. 20231

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APPLICATION NUMBER FILING DATE

FIRST NAMED APPLICANT

ATTY. DOCKET NO./TITLE

DATE MAILED:

## NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE)

imp	e request for continued examination (RCE) under 37 CFR 1.114 filed on $\frac{12/3/61}{}$ is proper for reason(s) indicated below:
	<ol> <li>Continued examination under 37 CFR 1.114 does not apply to an application for a design patent. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d).</li> </ol>
	<ol> <li>Continued examination under 37 CFR 1.114 does not apply to an application that was filed before June 8, 1995. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d).</li> </ol>
	3. Continued examination under 37 CFR 1.114 does not apply to an application unless prosecution in the application is closed. If the RCE was accompanied by a reply to a non-final Office action, the reply will be entered and considered under 37 CFR 1.111. If the RCE was <u>not</u> accompanied by a reply, the time period set forth in the last Office action continues to run from the mailing date of that action.
	4. The request was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was granted. If this application has not yet issued as a patent, applicant may wish to consider filing either a petition under 37 CFR 1.313 to withdraw this application from issue, or a continuing application under 37 CFR 1.53(b).
	<ol> <li>The request was not filed before abandonment of the application. The application was abandoned, or proceedings terminated on Applicant may wish to consider filing a petition under 37 CFR 1.137 to revive this abandoned application.</li> </ol>
	6. The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.
	7. The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.  SEE ATTACHES 37 CFR 1.12
requ	e: If a request for a continued prosecution application (CPA) under 37 CFR 1.53(d) has been filed in utility or plant application (including a previously filed CPA) that was filed on or after May 29, 2000, the uest for a CPA has been treated as a RCE because the CPA practice no longer applies to such lication. The constructive RCE, however, is improper for reason(s) indicated above.
	A copy of this notice MUST be returned with any reply.
Direc	the reply and any questions about this notice to:
<u>ال</u>	moed Smith, Examining Group
	) 30 <u>8 - 4275</u> M PTO-2051 (Rev. 3/2001)